

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICOUNITED STATES DISTRICT COURT
For The DISTRICT OF NEW MEXICO

JUN 22 2020

UNITED STATES OF AMERICA
Plaintiff,CRIMINAL NO.: MITCHELL R. ELFERS
CR-14-2783-JB CLERK

V.

MOTION TO APPOINT COUNSEL

Thomas R. Rodella

Defendant

Thomas R. Rodella, moves this Court for appointment of counsel under 18 U.S.C. §3006A to allow, in the interest of justice and fairness, to better articulate, prepare, and present a motion to reduce his sentence in the District of New Mexico, pursuant to 18 U.S.C. § 3582, as amended by the First Step Act.

In December 2018, the First Step Act became law. As modified, 18 U.S.C. §3582 (c)(1)(A)(i) authorizes district courts to reduce sentences for defendants if they find that extraordinary and compelling reasons support a reduction, or for other identified reasons, and if a reduction is consistent with Sentencing Commission Policy statements. Defendant implores the Federal Defender to enter an appearance on his behalf.

The Criminal Justice Act, codified at 18 U.S.C. §3006A, gives a district court the authority to appoint counsel for a criminal defendant in a variety of circumstances. Counsel may be appointed to represent persons charged with felonies, when the Sixth Amendment so requires, or, under certain circumstances, when interests of justice so require. See § 3006A(a)(1-2). Nationally, in light of the COVID-19 pandemic, United States Districts Courts have appointed the local Federal Public Defender's Office to assist defendants like Mr. Rodella. (See e.g. U.S. District Court of South Dakota standing order 20-06, dated May 1, 2020; U.S. District Court of Massachusetts order 20-06, dated April 13, 2020; United States v. Schaffer No. 4:16-CR-426-CDP-3 Dist. No. 2393 (E.D. No., April 16, 2020); U.S. District Court of Alaska, General order 20-14; and CJA 20 order U.S. District Court for Western District of Pennsylvania; Mr. Rodella urges the Court to conclude that the above considerations call for the assistance of counsel in this case.

Mr Rodella is currently incarcerated at FCI Seagoville, Texas, and requests representation of counsel from the Office of the Federal Defender, in his effort to seek relief.

Based on the foregoing and on the file and record in this case, Mr. Rodella asks for counsel of record to be appointed in this case.

Respectfully submitted,

Date: June 17, 2020

A handwritten signature in black ink, appearing to read "Thomas R. Rodella", written over a horizontal line.

Thomas R. Rodella
Reg. #78448-051
Federal Correctional Institution
P.O. Box 9000
Seagoville, TX 75159